

Issue Brief – Court Building Blocks

EOCJ-CRT-IB01

SUMMARY

The Courts have 13 funding requests for FY2008 totaling \$4,468,900. The Fiscal Analyst has recommended nine funding requests at a cost of \$2,538,300. The following chart details each of the Courts' recommendations and the corresponding Legislative Fiscal Analyst recommendation. Commentary regarding the Fiscal Analyst building block recommendations for the Courts will be elaborated upon in the Discussion and Analysis Section. All recommendations are made to assist Executive Offices and Criminal Justice Appropriations Subcommittee members as they evaluate the needs of the agency. Final subcommittee recommendations will be presented to the Executive Appropriations Committee. There is no particular order of priority for recommendations in the chart below.

Courts

Request Number	Building Block Requests	Court Requests	LFA Recommendations
1	Law Clerks	\$ 570,600	\$ -
2	3rd District Juvenile Court Judge	\$ 260,200	\$ 260,200
3	Court Commissioner	\$ 144,400	\$ -
4	Guardian ad Litem Staff Request	\$ 1,567,600	\$ 814,900
5	Courts Contract and Security Increases	\$ 368,900	\$ 368,900
6	Juror/Witness/Interpreter Increase	\$ 150,000	\$ -
7	Bailiff Security Increase*	\$ 500,000	\$ 500,000
8	Security Officer*	\$ 86,400	\$ 86,400
	Subtotal	\$ 3,648,100	\$ 2,030,400
	One-time Requests		
9	Data Processing Equipment**	\$ 240,000	\$ 240,000
10	Imaging Software Licenses**	\$ 110,000	\$ 110,000
11	Self-represented Parties Pilot Program	\$ 104,900	\$ -
12	Guardian ad Litem Staff Request	\$ 133,100	\$ 75,100
13	Juror/Witness/Interpreter	\$ 232,800	\$ 82,800
	One-time Subtotal	\$ 820,800	\$ 507,900
	Courts Grand Total	\$ 4,468,900	\$ 2,538,300

* Increase in Restricted Fund Allowance

** Use Justice Court Tech, Security, and Training Account

DISCUSSION AND ANALYSIS

Building block recommendations discussed in this brief are from the Analyst's recommendations only. The analyst recommends five ongoing appropriations and four one-time requests.

Ongoing Funding Requests

1. 3rd District Juvenile Court Judge—\$260,200. Based on the State Court Administration's Judicial Weighted Caseload instrument, the 3rd District should have 13.04 judges and/or commissioners to handle the caseloads.

Currently, the 3rd District has nine judges and one commissioner. Although total referrals have only increased 2 percent from 2001, the complexity and requirements of the cases has increased significantly. For example, child welfare petition filings increased 2 percent but these cases use 48 percent of the available judicial time. Due to the Judicial Weighted Caseload instrument, the Analyst recommends an additional Juvenile Court Judge and two clerks.

2. Guardian ad Litem Staffing Request—\$814,900 ongoing and \$75,100 one-time GF. Since the Legislative Auditor expressed concerns and questioned the accuracy of GAL caseload data, the Analyst recommendation for the GAL differs significantly from their request. The Analyst recommends an additional 6 attorneys and 5 support staff at a cost of \$814,900 ongoing GF and a one-time appropriation of \$75,100. The need for additional staffing exists, but the Legislature should proceed slowly with staff increases so that performance and accountability reports of the Guardian ad Litem can be reviewed.
3. Courts Contracts and Security Increases—\$368,900 (\$328,900 in ongoing GF and \$40,000 in additional Dedicated Credit) for utility increases, Security O & M increases, and a lease increase with Spanish Fork. During the 2004 General Session, the Legislature shifted \$300,000 in restricted funds to General Funds to make up half of a \$600,000 shift from GF during the budget downturn. The Courts are also requesting a similar shift of \$300,000 from restricted funds to General Fund. The Analyst recommends the Legislature funding the increases but not the \$300,000 funding shift from Restricted Funds to General Fund.
4. Juror/Witness/Interpreter Fund Deficit—\$82,800 supplemental. The JWJ budget incurred an \$82,800 deficit in FY 2006. The Courts also expect \$150,000 in deficit spending in the line item during FY 2007. The Courts have requested supplemental appropriations of \$232,800 to fund deficits from FY 2006 and projected FY 2007 deficits. The Courts have also requested \$150,000 in ongoing General Fund for FY 2008 to prevent future shortfalls.
5. Baliff Security Increase and Statewide Courts Security Officer—\$586,400. The Analyst recommends an additional \$500,000 to pay for the full value of services rendered in the 1st, 2nd, 3rd, and 5th Judicial Districts. Recently, the Courts commissioned a study of their Security and Safety procedures. The Analyst recommends \$86,400 for an expert to

strengthen Courthouse safety and security plans as outlined in the consultant's report.

One-time Funding Requests

6. Data Processing Replacement—\$240,000. The Court request use one-time funding requests as their plan for data processing replacement. The \$240,000 would replace approximately 200 PCs, 50 laptops, and 25 printers. In FY 2007, the Legislature appropriated the \$240,000 from the Justice Courts Technology, Security, and Training Restricted Account. The Analyst recommends funding this request out of the same Restricted Account.
7. Imaging Software—\$110,000. Funding will be used to purchase licenses to implement an imaging system for the statewide e-filing effort. The Analyst recommends funding this request out of the Justice Courts Technology, Security, and Training Restricted Account.
8. Drug Court Expansion—\$260,000. This request for Drug Courts is a request from the Department of Human Services and will not be heard in the EOCJ Subcommittee but in the Health and Human Services Appropriation Subcommittee. UCA 78-3-32 stipulates that 13 percent of any Drug Court appropriation goes to the Administrative Office of the Courts. For your information, the Drug Court request detailed below:

FY 2008 Drug Court Funding Recommendation			
Program	Allocation of Funding Request	New Cases	Case Rate
Family/Dependency Drug Court	\$175,800	38	\$4,686
Felony Drug Court	\$1,124,800	264	\$4,268
Parolee Drug Board	\$70,300	24	\$2,925
Juvenile Youth Drug Court	\$369,100	151	\$2,439
Treatment Total for DHS	\$1,740,000	476	\$3,652
Administrative Office of the Courts	\$260,000		
Total Funding Request	\$2,000,000		

RECOMMENDATIONS

1. Discuss building block requests, one-time funding requests and supplemental funding.
2. Add Subcommittee priorities to the EAC funding recommendations.

